

**REMARKS**

Claims 1-15 and 17-20 were pending in the application. The Examiner has rejected claims 1-15 and 17-20. Applicant has amended claims 1, 11 and 14 to more clearly define the present invention. Applicant has also submitted new claim 21 for consideration and has canceled claim 13. Therefore, claims 1-12, 14-15 and 17-21 are now pending in the present application. Reconsideration of the above-identified application is respectfully solicited on behalf of the Applicant.

**Claim Rejections under 35 U.S.C. § 103(a)**

The Examiner has rejected claims 1-15 and 17-20 under 35 U.S.C. § 103(a) as being unpatentable over Longfield in view of Hagemier. It is the Examiner's position that it would be obvious to combine the tax refund system of Longfield with the credit card of Hagemier to obtain the present invention. The Examiner has further stated that Hagemier discloses combining a credit card with a tax crediting vehicle so that the credit obtained from the taxing system may be used toward purchases of products using the credit card.

Applicant has amended claims 1, 11 and 14 and has added claim 21 to indicate that the present invention claims dedicated spending vehicles that are offered by spending vehicle providers to get taxpayers to spend their income tax return money at participating outlets. The spending vehicles may be selected by the taxpayer during the tax preparation process. The taxpayer, during the process of preparing a tax return, may make a selection to receive one or more spending vehicles from one or more of a plurality of spending vehicle providers. A taxpayer may then use the spending vehicle at any one of the spending vehicle provider's participating outlets. In view of Applicant's amended claims, Applicant respectfully traverses the rejections.

Longfield describes a system wherein a taxpayer may collateralize an anticipated tax refund into a loan. Longfield does not disclose taxpayer selection of at least one dedicated spending vehicle from a plurality of spending vehicle providers as system for an income tax refund. Hagemier likewise does not disclose taxpayer selection of a dedicated spending vehicle from a plurality of providers. The inventions described by Hagemier provide credit cards to Value Added Tax (VAT) payers without a selection of a spending vehicle by the taxpayer. In view of the amended claims, the combination of the Examiner's references described in the present office action do not teach all of the elements of the present invention so as to render the claims obvious pursuant to 35 U.S.C. § 103(a).

In a previous office action, the Examiner indicated that the claims did not contain a limitation for selection of a dedicated spending vehicle from a plurality of spending vehicle providers. The claim amendments address this limitation and the prior art cited by the examiner does not teach nor suggest that the taxpayer may make such a selection. Applicant respectfully submits, therefore, that the claims patentably define the present invention.

In light of the above remarks, it is respectfully submitted that the present application is now in condition for allowance and such action is earnestly requested.

Respectfully submitted,

By:

*Carol G. Stovsky*  
Carol G. Stovsky  
Reg. No. 42,171  
Attorney for Applicants  
Standley & Gilcrest LLP  
495 Metro Place South, Suite 210  
Dublin, Ohio 43017  
(614) 792-5555

FAX RECEIVED

AUG 11 2003

GROUP 3600

Date:

*August 7, 2003*